

Passed by the House on May 7, 1997, by a non-record vote; passed by the Senate on May 26, 1997: Yeas 31, Nays 0.

Approved June 18, 1997.

Effective September 1, 1997.

CHAPTER 982

H.B. No. 2633

AN ACT

relating to attorney compensation in certain matters; providing civil and criminal penalties.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subtitle G, Title 2, Government Code, is amended by adding Chapter 84 to read as follows:

CHAPTER 84. UNAUTHORIZED ATTORNEY COMPENSATION

Sec. 84.001. PROHIBITED ACTS. Before the conclusion of all aspects of a criminal matter that gives rise to an attorney's employment, an attorney may not make or negotiate an agreement with a client, a prospective client, or former client that provides the attorney literary or media rights to a portrayal or account based in substantial part on information relating to the representation.

Sec. 84.002. CRIMINAL OFFENSE. (a) A person commits an offense if, while acting as an attorney, the person agrees to accept as compensation for legal advice provided by the person in a criminal matter the right to publish, in print, film, or otherwise, the account of a crime or the events associated with a crime.

(b) An offense under this section is a Class B misdemeanor.

Sec. 84.003. CIVIL LIABILITY. (a) A person, including the victim of a crime or the estate of a victim of a crime, may bring suit against an attorney whose violation of Section 84.001 results in damages incurred by the person bringing the suit.

(b) A person who brings suit under this section is entitled to recover:

(1) actual damages caused to the person bringing the suit by the publication of the account of the crime;

(2) exemplary damages in an amount determined by the court;

(3) reasonable attorney's fees; and

(4) court costs.

Sec. 84.004. CUMULATIVE REMEDIES. This chapter is cumulative of other law under which a person may obtain judicial relief. An administrative, civil, or criminal action brought against an attorney based on a violation of this chapter does not limit or restrict another action against the attorney by the same or another person.

SECTION 2. This Act takes effect September 1, 1997, and applies only to an agreement made on or after that date. An agreement made before September 1, 1997, is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 14, 1997, by a non-record vote; passed by the Senate on May 26, 1997: Yeas 31, Nays 0.

Approved June 18, 1997.

Effective September 1, 1997.

CHAPTER 983

H.B. No. 2634

AN ACT

relating to administrative fees collected by community supervision and corrections departments.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. (a) Chapter 76, Government Code, is amended by adding Section 76.015 to read as follows:

Sec. 76.015. ADMINISTRATIVE FEE. (a) A department may collect money from an individual as ordered by a court served by the department regardless of whether the individual is under the department's supervision.

(b) A department that collects money under this section shall promptly transfer the money collected to the appropriate county or state officer.

(c) A department may assess a reasonable administrative fee of not less than \$25 and not more than \$40 per month on an individual who participates in a department program or receives department services and who is not paying a monthly fee under Section 19, Article 42.12, Code of Criminal Procedure.

(b) In addition to the substantive changes made by this section, this section conforms Chapter 76, Government Code, to Section 1, Chapter 217, Acts of the 74th Legislature, Regular Session, 1995.

(c) Section 1, Chapter 217, Acts of the 74th Legislature, Regular Session, 1995, is repealed.

(d) To the extent of any conflict, this Act prevails over another Act of the 75th Legislature, Regular Session, 1997, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 2. This Act takes effect September 1, 1997.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on April 25, 1997, by a non-record vote; passed by the Senate on May 26, 1997; Yeas 31, Nays 0.

Approved June 18, 1997.

Effective September 1, 1997.

CHAPTER 984

H.B. No. 2671

AN ACT

relating to acceptance of an insurance binder by certain lenders.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 2(f), Article 21.48A, Insurance Code, is amended to read as follows:

(f) A Lender that requires a Borrower to secure insurance coverage before the Lender will provide a residential mortgage or commercial real estate loan shall accept an insurance binder as evidence of the required insurance if: